
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

RUSTON BENOIT,

Plaintiff,

versus

BAY, LTD., and PREMCOR REFINING
GROUP, INC.,

Defendants.

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CIVIL ACTION NO. 1:08-CV-263

ORDER

Plaintiff Ruston Benoit's Rule 41 Motion to Dismiss Defendant The Premcor Refining Group, Inc. ("Premcor") (#44) is GRANTED. Accordingly, Plaintiff's claims against Premcor are dismissed with prejudice. Plaintiff's claims against Defendants Bay, Ltd., remain pending.

SIGNED at Beaumont, Texas, this 26th day of February, 2009.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE